

**53B-7-103 Board designated state educational agent for federal contracts and aid -- Individual research grants -- Powers of institutions or foundations under authorized programs.**

- (1) The board is the designated state educational agency authorized to negotiate and contract with the federal government and to accept financial or other assistance from the federal government or any of its agencies in the name of and in behalf of the state of Utah, under terms and conditions as may be prescribed by congressional enactment designed to further higher education. Nothing in this chapter alters or limits the authority of the State Building Board to act as the designated state agency to administer programs in behalf of and accept funds from federal, state, and other sources, for capital facilities for the benefit of higher education.
- (2) Subject to policies and procedures established by the board, the institutions and their individual employees may apply for and receive grants or research and development contracts within the educational role of the recipient institution. These authorized programs may be conducted by and through the institution, or by and through any foundation or organization which is established for the purpose of assisting the institution in the accomplishment of its purposes.
- (3) An institution or its foundation or organization engaged in a program authorized by the board may do the following:
  - (a) enter into contracts with federal, state, or local governments or their agencies or departments, with private organizations, companies, firms, or industries, or with individuals for conducting the authorized programs;
  - (b) subject to the approval of the controlling state agency, conduct authorized programs within any of the penal, corrective, or custodial institutions of this state and engage the voluntary participation of inmates in those programs;
  - (c) accept contributions, grants, or gifts from, and enter into contracts and cooperative agreements with, any private organization, company, firm, industry, or individual, or any governmental agency or department, for support of authorized programs within the educational role of the recipient institution, and may agree to provide matching funds with respect to those programs from resources available to it; and
  - (d) retain, accumulate, invest, commit, and expend the funds and proceeds from programs funded under Subsection (3)(c), including the acquisition of real and personal property reasonably required for their accomplishment. No portion of the funds and proceeds may be diverted from or used for purposes other than those authorized or undertaken under Subsection (3)(c), or shall ever become a charge upon or obligation of the state of Utah or the general funds appropriated for the normal operations of the institution unless otherwise permitted by law.
- (4) All contracts and research or development grants or contracts requiring the use or commitment of facilities, equipment, or personnel under the control of an institution are subject to the approval of the board.

Enacted by Chapter 167, 1987 General Session